

COURTROOM MINUTES OF CRIMINAL PROCEEDINGS
Norfolk/Newport News Division

SENTENCING MINUTES

Set: 1:00 p.m.
Started: 1:00 p.m.
Ended: 4:30 p.m.

Date: November 15, 2023
Judge: Mark S. Davis
Court Reporter: Paul McManus, OCR
U.S. Attorney: P. Osyf/L. McKeel
Defense Counsel: J. Ellenson/E. Rossi
Courtroom Deputy: V. Ward
Probation Officer: Jeff Noll
Interpreter: _____

Case No: 4:23cr45Defendant: Deja Nicole Taylor () in custody (X) on bond

X Came on for disposition. X Deft. sworn.
____ Govt/Deft's _____ motion for downward departure.
_____ motion for one-level reduction in offense level.
_____ Granted. _____ Denied.
 X The Court adopts the factual statements contained in the Presentence Report
 X Presentence Report reviewed. _____ Objections heard and rulings made.
 X Evidence presented. (Witnesses and exhibits listed on last page)
 X Arguments of counsel heard. X Statement of deft. heard.
 X The Court ACCEPTED the plea agreement and made a finding of GUILT as to
Count(s) 1,2 .
 X Court made a finding that deft. violated terms of her pre-trial
supervision.

IMPRISONMENT:

SENTENCE: Count(s) 1,2 : The deft. shall be committed to the custody of the BOP to be imprisoned for a total term of 21 months. The term consists of 21 months on count 1 , and 21 months on count 2 , all to be served concurrently. This sentence shall run consecutive to any sentence received in state court.

X The deft. is remanded to the custody of the U.S. Marshal.

_____ The deft. shall surrender for service of the sentence at the institution designated by the BOP/U.S. Marshal before _____ on _____, as notified by the U.S. Marshal.

_____ If deft. is unable to arrange transportation to the designated institution, the United States Marshal will arrange transportation for the defendant.

_____ If the defendant is not notified by the United States Marshal of the institution designated, the defendant shall report to the United States Marshal at 600 Granby Street, Norfolk, VA, by _____ on _____, to begin service of the sentence.

PROBATION:

_____ The deft. shall be placed on probation for a term of _____ years.

SUPERVISED RELEASE:

 X Upon release from imprisonment, the deft. shall be on supervised release for a term of 2 year(s). This term consists of 2 years on count 1 , a term of 2 years on count 2 , and a term of _____ years on count _____, all to run concurrently.

Standard Conditions of Supervised/Probation:

The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

While on supervised release, the defendant shall not commit another federal, state, or local crime.

While on supervised release, the defendant shall not illegally possess a controlled substance.

While on supervised release, the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

 X The deft. shall refrain from any unlawful use of a controlled substance and submit to one drug test within 15 days of release on supervised release and at least two periodic drug tests, thereafter, as directed by the probation officer.

_____ As reflected in the presentence report, the deft. presents a low risk of future substance abuse and therefore, the court hereby suspends the mandatory condition for substance abuse testing as defined by 18 USC 3563 (a)(5). However, this does not preclude the U.S. Probation Office from administering drug tests as they deem appropriate.

_____ It shall be a condition of supervised release that the deft. pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

Special Conditions of Supervised Release/Probation:

 X If the deft. tests positive for controlled substance or shows signs of alcohol abuse, the deft shall participate in a program approved by the United States Probation Office for substance abuse, which program may include residential treatment and testing to determine whether the deft. Has reverted to the use of drugs or alcohol, with partial costs to be paid by the deft., all as directed by the probation officer.

 X The deft. shall waive all rights of confidentiality regarding substance abuse/mental health treatment in order to allow the release of information to the United States Probation Office and authorize communication between the probation officer and the treatment provider.

 X The deft. shall participate in a program approved by the United States Probation Office for mental health treatment. The cost of this program is to be paid by the

deft. as directed by the probation officer.

____ The deft. shall pay support for his minor child(ren) in the amount ordered by any social service agency or court of competent jurisdiction, and shall register with the Department of Child Support Enforcement in any state in which he resides.

____ As directed by the probation officer, the deft. shall apply monies received from income tax refunds, lottery winnings, inheritances, judgments, and any anticipated or unexpected financial gains to the outstanding court-ordered financial obligation, or in a lesser amount to be determined by the court, upon the recommendation of the probation officer.

____ The deft. shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.

____ The deft. shall provide the probation officer access to any requested financial information.

____ The deft. shall participate in a program approved by the U.S. Probation Officer for financial counseling. The cost of this program is to be paid by the defendant as directed by the probation officer.

____ The defendant shall participate in the Treasury Offset Program (TOP) as directed by the probation officer.

 X The defendant shall obtain a GED or vocational skill during period of supervision if not employed full-time.

____ The deft. shall be on Home Detention, which shall include electronic monitoring at the deft's expense, for a period of ____ consecutive months/days. During this time, he/she shall remain at his/her place of residence except for employment and other activities approved in advance by the probation officer.

____ Deft shall maintain a telephone at his place of residence without party lines, telephone answering machines, a modem, "call forwarding," "caller ID," "call waiting@, portable cordless telephones or any other devices or services that may interfere with the proper functioning of the electronic monitoring equipment for the above period. Deft shall wear an electronic monitoring device, follow electronic monitoring procedures, and pay the cost of electronic monitoring, all as directed by the probation officer.

____ The defendant shall participate in a program approved by the United States Probation Office for mental health treatment, to include a psychological evaluation, and sex offender treatment. The costs of these programs are to be paid by the defendant as directed by the probation officer. The defendant shall waive all rights of confidentiality regarding sex offender/mental health treatment in order to allow the release of information to the United States Probation Office and authorize communication between the probation officer and the treatment provider.

____ Pursuant to the Adam Walsh Child Protection and Safety Act of 2006, the defendant shall register with the state sex offender registration agency in any state where the defendant resides, works, and attends school, according to federal and state law and as directed by the probation officer.

____ The defendant shall submit to polygraph testing as directed by the United States Probation Officer as part of his sex offender therapeutic program. The costs of the testing are to be paid by the defendant as directed by the probation officer.

____ Pursuant to the Adam Walsh Child Protection and Safety Act of 2006, the defendant shall submit to a search of his person, property, house, residence, vehicle, papers, computer, other electronic communication or data storage devices or media, and effects

Restitution shall be made jointly and severally with _____,

X Nothing in the Court's order shall prohibit the collection of any judgment by the United States.

 X Any special assessment, restitution, or fine payments may be subject to penalties for default and delinquency.

 X Since this judgment imposes a period of imprisonment, payment of Criminal Monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments are to be made to the Clerk, United States District Court, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

 X The deft. shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

 The deft. notified of right of appeal.

 X Court noted that deft. waived right of appeal in plea agreement.

 On motion of gov't, remaining counts dismissed.

 The deft. is continued on present bond and cautioned re bail jumping.

 X Court recommends incarceration at

 X a facility as close to the Virginia area as possible.

 X the deft. shall participate in intensive mental health and substance abuse treatment.

 X Consent Order of Forfeiture, executed and filed 6/15/23.

Additional Counts/Comments:

Gov't Witness: 1. TFO Ryan Norris/Deft. Witness: Calvin Taylor

Gov't Exhibits: 1. Copy of 4473 Form; 2. Revised copy of 4473 Form; 3. Photo of Barrel lock; 4. Photo of trigger lock; 5. Photo of barrel lock in bag; 6. Photo Of barrel lock in bag; 7. U-Haul Equipment Contract; 8. Contract Search; 9. U-Haul Contract; 10. Impound Invoice; 11. Official U.S. Time; 12. Cellebrite extraction rpt.
